

Appl. No. 10/629,976

Page 3

RECEIVED  
CENTRAL FAX CENTER  
NOV 14 2006

**REMARKS****Status of the Application.**

Claims 16-24 are pending. Claims 1-12 and 25-48 have been cancelled as drawn to a non-elected invention without prejudice and Applicants reserve the right to file further continuation applications on any subject matter disclosed in the instant application or on the subject matter of any previously or presently cancelled claim.

**Amendments to the Specification:**

In the specification, paragraph [0001] has been amended to reflect the priority information contained in the transmittal and specification as filed on July 30, 2003, and to update the status of the referenced applications.

**35 U.S.C. §102(e).**

Claims 16-24 stand rejected under 35 USC §102(e) as being anticipated by US Patent No. 6,512,098. Applicants respectfully traverse.

Applicants respectfully submit that the present application claims the benefit of U.S. patent application Ser. No. 09/347,029, filed Jul. 2, 1999, now Patent No. 6,512,098. As stated in the prior Response of February 3, 2006, Applicants believe that the inventors for the elected claims of the present application are Benjamin G. Davis and John Bryan Jones. This is the same inventive entity as Patent No. 6,512,098, therefore the present invention was not described in a patent "by another" as required by §102(e). Once allowable subject matter is agreed upon, Applicants will correct inventorship rendering moot this rejection. Withdrawal of the rejection is respectfully requested.

Appl. No. 10/629,976

Page 4

**RECEIVED  
CENTRAL FAX CENTER  
NOV 14 2006****CONCLUSION**

In light of the above amendments, as well as the remarks, the Applicants believe the pending claims are in condition for allowance and issuance of a formal Notice of Allowance at an early date is respectfully requested. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (650) 846-7614.

Respectfully submitted,  
GENENCOR, A DANISCO DIVISION



Michael F. Kolman  
Registration No. 54,234

Date: November 14, 2006

Genencor, a Danisco Division  
925 Page Mill Road  
Palo Alto, CA 94304  
Tel: 650-846-7614  
Fax: 650-845-6504